

Akerman

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January 21, 2014

**VIA FACSIMILE (914) 390-4256**

The Honorable Paul E. Davison  
United States Magistrate Judge  
300 Quarropas Street  
White Plains, New York 10601

**MEMO ENDORSED**

Re: Perini v. Usiminas Mecânica S.A., Case No. 12 CV 1931 (VB) (PED)

Dear Magistrate Davison:

This letter is sent as a joint request by Defendant Usiminas Mecânica S.A., and Plaintiff Perini Corporation/O&G Industries, Inc., A Joint Venture. We are writing to respectfully request a short extension of the current deadline for the completion of discovery (which is January 31, 2014) to accommodate the schedule of a single expert witness, and for a short continuance of the February 11, 2014 scheduled telephone status conference.

The parties have made significant progress in discovery and all fact discovery is scheduled to be completed by January 30, 2014. Plaintiff requested to take the deposition of Defendant's engineering expert on January 30, 2014, however the last fact witness was previously scheduled for that date. Also, due to a pre-existing commitment to speak at an ABA conference at the end of the month, and other schedule conflicts, Defendant's expert is not available until February 13, 2014. As such, both parties would like a short extension to February 13, 2014 to allow this deposition to occur.

In addition, since the next status conference is scheduled to occur on February 11, 2014, two days before the final deposition in this matter, the parties request that the status conference be continued to a date after February 13, 2014.

If the Court has any concerns or would like to discuss this request, the parties would be happy to participate in a telephone call relating to this request. There have been no previous requests to continue the January 31, 2014 discovery cutoff, though the discovery cutoff date has been extended two times previously. There have been no previous requests to continue the February 11, 2014 status conference.

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*Granted. The Conference is adjourned to  
2/20/14 @ 9:30 a.m.*

APPLICATION GRANTED

  
Hon. Paul E. Davison, U.S.M.J.

Honorable Paul E. Davison  
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Thank you for your consideration.

Very truly yours,

*Jeffrey G. Gilmore / PNC w/revision*

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cc: Michael J. Hogan, Esq. (via e-mail)